

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. Applicant/Contact name and address: Montana City School District #27  
11 McClellan Creek Road  
Clancy, MT 59634
2. Type of action: Application to Change an Existing Irrigation Water Right 41I 30153374
3. Water source name: Groundwater
4. Location affected by project: Section 14, T09N, R03W, Jefferson County  
Section 13, T09N, R03W, Jefferson County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

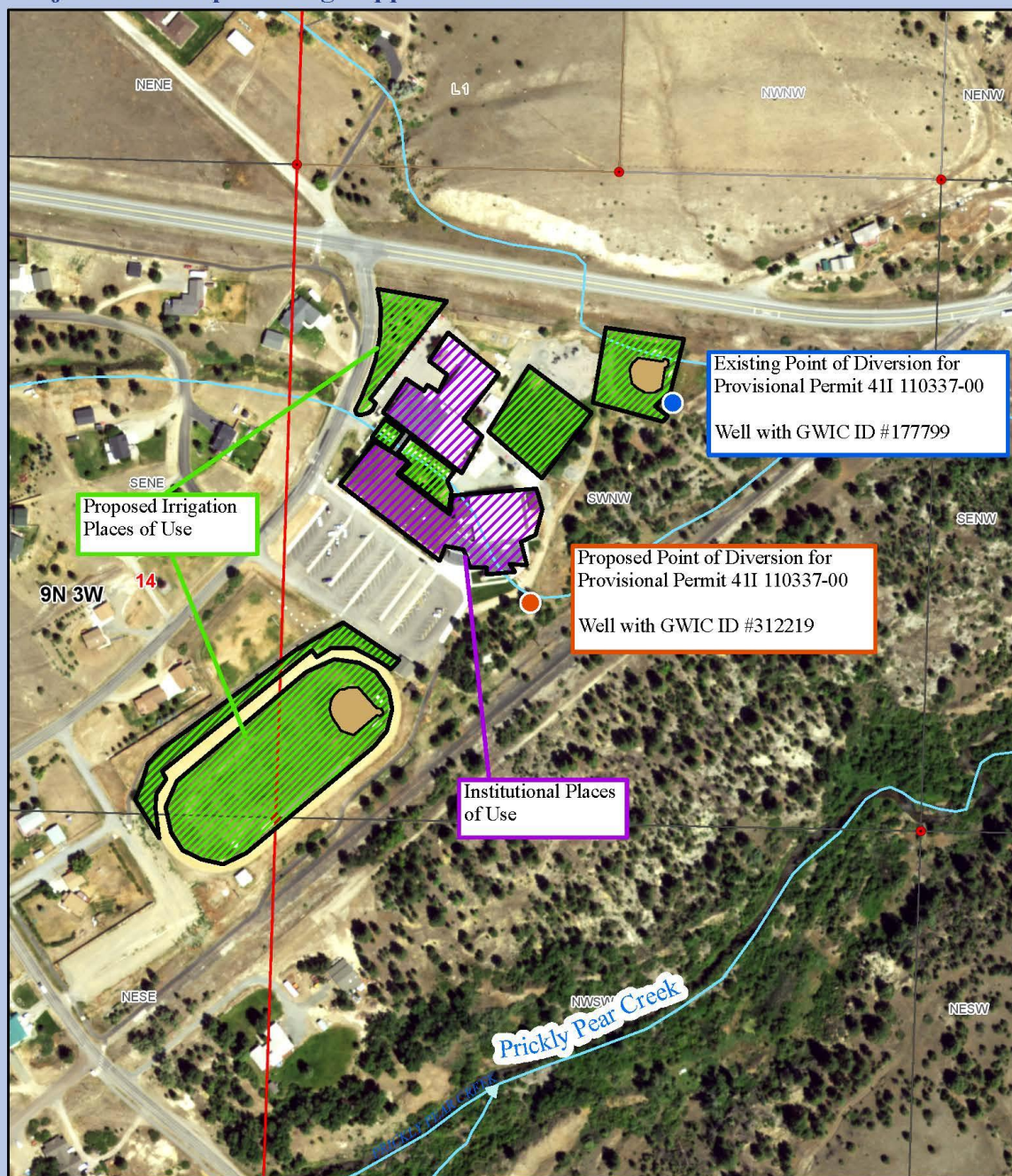
The Applicant proposes to add an additional point of diversion in the SWSWNW Section 13, Township (T) 09 N, Range (R) 03 W by means of a new groundwater well. The new well (GWIC ID # 312219) is about 500 feet southwest of this permit's existing well (GWIC ID # 177799), which will remain in use. While the public water supply (PWS) permitting process does not require a redundant well for this water system, the Applicant is pursuing this change to ensure a reliable groundwater supply is always accessible, while allowing the school to have operational flexibility with their water usage and ease of managing PWS treatment requirements. For typical operation, the Applicant plans to use the proposed new well for the permit's institutional purpose and continue using the existing well for the irrigation purpose. Service lines with valves will be connected to both wells to provide future flexibility.

Additionally, the Applicant amended their application to also propose a change to their irrigation place of use to account for their changing the orientation of the athletic field in 2014. The proposed irrigation place of use is 4.32 total acres, including:

- 2.87 acres in SWNW Section 13, T09N, R03W
- 0.01 acres in NWSW Section 13, T09N, R03W
- 1.07 acres in SENE Section 14, T09N, R03W
- 0.37 acres in NESE Section 14, T09N, R03W

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

## Project Area Map - Change Application 41I 30153374



1:3,200

Map Created: 9/1/2022

0 0.02 0.04 0.07 Miles



Service Layer Credits: 2017 Aerials: U.S. Department of Agriculture Farm Services Agency Aerial Photography Field Office. MSDI PLS.



Figure 1. Project Area Map – Change Application 41I 30153374

6. Agencies consulted during preparation of the Environmental Assessment:  
(include agencies with overlapping jurisdiction)
- Montana Department of Environmental Quality (MDEQ)
    - TMDL Information
  - Montana Natural Heritage Program
    - Endangered-Threatened Species
  - Montana Department of Fish Wildlife & Parks
    - Dewatered Stream Information
  - U.S. Fish & Wildlife Service
    - National Wetlands Inventory Mapper
  - United States Department of Agriculture – Natural Resources Conservation Service
    - Web Soil Survey

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

<b>PHYSICAL ENVIRONMENT</b>
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#### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

The source of water supply is groundwater and therefore not classified as dewatered by the Montana Department of Fish, Wildlife and Parks. No additional effect to water quantity will result from the addition of a point of diversion to this system. As the irrigation place of use acres are proposed to be reduced as part of this change, the volumetric use of water will be decreasing. The groundwater appropriation causes depletions to Prickly Pear Creek; no change to the location and timing of depletions is expected.

*Determination:* No significant impact.

**Water quality** - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Groundwater is not listed as impaired by the Montana Department of Environmental Quality. Neither the purpose nor timing of use will be changed as a result of this additional point of diversion or changed place of use. Water quality is not expected to be affected by this change.

*Determination:* No significant impact.

**Groundwater** - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Prickly Pear Creek is the closest perennial surface water body to the project site and is the surface water source that would be depleted from the proposed groundwater use and the receiving surface water for return flows from the lawn and garden irrigation. As the return flows will enter back into the source where they historically returned upstream of or at the location of the next downstream appropriator, DNRC did not analyze the rate and timing of return flows. As the irrigation place of use acres are proposed to decrease with this change, the depletion to Prickly Pear Creek will also be reduced.

*Determination:* No significant impact.

**DIVERSION WORKS** - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

The proposed new point of diversion is a groundwater well which has already been drilled. Additional project construction involves buried pipelines to the well house and school, all located on already developed school grounds. The construction and operation of the diversion works will not create barriers to migration or alter any stream flow or channel characteristics.

*Determination:* No significant impact.

#### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

The Montana Natural Heritage Program website was used to identify threatened or endangered fish, wildlife, plants, or aquatic species, or any Species of Concern within Township 9 North, Range 03 West. Species of Concern within the vicinity of the project area include:

- Lesser Rushy Milkvetch (*Astragalus convallarius*)
- Wedge-leaf Saltbush (*Atriplex truncate*)
- Pale-yellow Jewel-weed (*Impatiens aurella*)
- Spotted Bat (*Euderma maculatum*)
- Hoary Bat (*Lasiurus cinereus*)
- Long-eared Myotis (*Myotis evotis*)
- Little Brown Myotis (*Myotis lucifugus*)
- Long-legged Myotis (*Myotis volans*)
- Grizzly Bear (*Ursus arctos*)
- Northern Goshawk (*Accipiter gentilis*)
- Great Blue Heron (*Ardea Herodias*)
- Verry (*Catharus fuscescens*)
- Evening Grosbeak (*Coccothraustes vespertinus*)

- Pileated Woodpecker (*Dryocopus pileatus*)
- Cassin's Finch (*Haemorhous cassinii*)
- Lewis's Woodpecker (*Melanerpes lewis*)
- Clark's Nutcracker (*Nucifraga columbiana*)
- Green-tailed Towhee (*Pipilo chlorurus*)
- Brewer's Sparrow (*Spizella breweri*)
- Great Gray Owl (*Strix nebulosa*)
- Suckley Cuckoo Bumble Bee (*Bombus suckleyi*)

The proposed project will not require a disturbance to habitats as a result of the change in point of diversion or place of use. The additional point of diversion has already been constructed and the place of use change (reducing the irrigated acreage) has already been implemented. Species of Concern listed above may not rely directly on habitats found at the project location.

*Determination:* No significant impact.

**Wetlands** - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

The US Fish and Wildlife Service Online Wetland Mapper identifies the Prickly Pear Creek channel near the project site as Freshwater Forested/Shrub Wetland. The existing and proposed points of diversion are 800 and 900 feet away from Prickly Pear Creek, and depletions to Prickly Pear Creek will be reduced since this change application proposes to reduce the number of irrigated acres. No impacts to wetlands are expected as a result of this change.

*Determination:* No significant impact.

**Ponds** - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

*Determination:* Not applicable – the project does not involve ponds.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

The USDA Web Soil Survey identifies the primary soil type for the project place of use as Varney and similar soils, well-drained sandy clay loam and gravelly sandy clay loams that are nonsaline to very slightly saline. It is not anticipated that there will be degradation to the soil nor development of a saline seep caused by development of this project.

*Determination:* No significant impact.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

The diversion installation has already been completed prior to this application, so any impacts to existing vegetative cover likely will have already occurred. No additional land use development will occur as a result of this change; existing institutional and lawn and garden land use will continue. It is not anticipated that authorization of a water right change will contribute to the establishment or spread of noxious weeds in the project area. Noxious weed prevention and control will be the responsibility of the landowners.

*Determination:* No significant impact.

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

There will be no impact to air quality associated with authorization of the proposed water right change.

*Determination:* Not applicable.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

*Determination:* Not Applicable – this project is not located on State or Federal lands.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination:* All impacts to land, water, and energy have been identified. No further impacts are anticipated.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

The proposed project does not appear to be inconsistent with any locally adopted plans in Jefferson County.

*Determination:* No significant impact.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

The proposed project will not affect access to or quality of recreational and wilderness activities. The change to the irrigation place of use was already implemented in 2014, and the additional point of diversion well has already been drilled.



*Determination:* No significant impact.

**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

The proposed changes will not impact human health, though the additional point of diversion may make it easier to keep up with PWS treatment requirements and ensure a reliable drinking water supply for the school.

*Determination:* No significant impact.

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*

Yes\_\_\_ No X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

*Determination:* Not applicable – the project area is located on government property used for the Montana City School District #27.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

*Impacts on:*

- (a) Cultural uniqueness and diversity? None.
- (b) Local and state tax base and tax revenues? None.
- (c) Existing land uses? None.
- (d) Quantity and distribution of employment? None.
- (e) Distribution and density of population and housing? None.
- (f) Demands for government services? None.
- (g) Industrial and commercial activity? None.
- (h) Utilities? None.
- (i) Transportation? None.
- (j) Safety? None.
- (k) Other appropriate social and economic circumstances? None.

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: No secondary impacts have been identified.

Cumulative Impacts: No cumulative impacts have been identified.

**3. *Describe any mitigation/stipulation measures:***

The Applicant would be required to cease diverting water if a call is made by a senior water user. The Department will place a measurement condition on this change authorization, requiring the Applicant to install an in-line flow meter and submit records to the Department. No additional mitigation or stipulation measures have been identified.

**4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

The proposed alternative is reasonable. The only other alternative to this proposed action would be the no action alternative. The no action alternative would mean not authorizing this change in point of diversion and place of use. Not authorizing the change would restrict the school to using only the existing well, and the water right would not reflect their changed irrigation place of use.

***PART III. Conclusion***

**1. *Preferred Alternative:*** The preferred alternative is to grant the change application if the Applicant can prove that the criteria in §85-2-402, MCA, are met.

**2 *Comments and Responses:*** None.

**3. *Finding:***

Yes\_\_\_ No\_\_**X**\_ Based on the significance criteria evaluated in this EA, is an EIS required?

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:* None of the identified impacts for any of the alternatives is significant as defined in ARM 36.2.524. Therefore, the EA is the appropriate level of analysis and an EIS is not necessary.

*Name of person(s) responsible for preparation of EA:*

*Name:* Mallory Scharf

*Title:* Water Resource Specialist

*Date:* 10/31/2022